SBCivil Writ Petition No.4244/2006

Laxmikant Sharma
Vs.
State of Rajasthan & Ors.

Date of Order :: 4th August, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. Manoj Bhandari, for the petitioner.

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By order dated 29.7.2006 the District Eduction Officer as an administrative arrangement and as an interim measure posted the petitioner at Government Secondary School, Udrasar till filling up of the vacancies of Teacher Gr.II (Science) or upto 31.3.2007, whichever is earlier.

Challenge to the order aforesaid is given by the petitioner on the count that the District Education Officer arbitrarily posted the petitioner at Government Secondary School, Udrasar as there are number of other persons at Bikaner having more length of posting period but the have not been posted in rural area. It is further submitted by counsel for the petitioner that no guidelines are prescribed by Government of Rajasthan with regard to posting as interim measure, therefore, the order impugned is bad in eye of law.

I do not find any merit in the contention so raised as the petitioner is posted at Government Secondary School, Udrasar as an interim measure

looking to the administrative exigency. No right of the petitioner is infringed by the order impugned. A broad discretion is vested with the District Education Officer for utilising services of the teachers working within his jurisdiction and such discretion is always required to be exercised objectively. No allegation of extraneous consideration is there in issuance of the order impugned.

In view of it, I am not at all inclined to interfere in the matter under Article 226 of the Constitution of India. However, if the petitioner is having any genuine grievance with regard to his posting, he may submit a representation to the District Eduction Officer or even to other higher authorities of the department for its redressal. In the event petitioner submits any such representation within a period of one week from today then the same shall be decided by the authority competent expeditiously as far as possible within a period of one week from the date of submission of representation.

The writ petition is disposed of accordingly.

(GOVIND MATHUR),J.

kkm/ps.